



THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 00-1312-C)

PATENT

#9
CP
9/12/02

In application of:

Kopreski

Serial No. 09/966,515

Filed: September 28, 2001

For: Method Enabling the Use of Extracellular
(RNA Extracted from Plasma or Serum to
Detect, Monitor or Evaluate Cancer

Before the Examiner:
F. Lu

Group Art Unit: 1634

RESPONSE TO RESTRICTION REQUIREMENT
MAILED AUGUST 7, 2002

RECEIVED

SEP 09 2002

TECH CENTER 1600/2900

Commissioner of Patents
Washington, D.C. 20231

Sir:

Responsive to the Restriction Requirement, mailed August 7, 2002, Applicants elect herewith to prosecute claims 1-12, 21, 36, 37 and 40-53, designated Group I by the Examiner. This election is with traverse for the reasons set forth below

Applicants also elect the specie of heterogeneous nuclear ribonucleoprotein A2/B1.

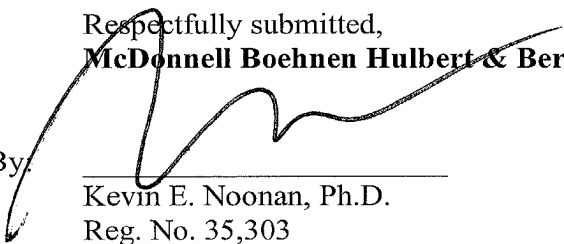
The basis for Applicants traversal is that it would pose no undue burden on the Patent Office to search claims 13-15 and 22 (corresponding to Group II), 17-20 (Group III), and 29-34, 38 and 39 (Group V) with the elected claims. This is evidenced by the classification of these claims contained in the Restriction Requirement itself. The claims of all these Groups are classified in class 435, subclass 91.2. The Patent Office will need to search class 435, subclass 92.1 with regard to the elected claims of Group I. Applicants respectfully submit that it would be no further or undue burden to search these classes and subclasses for claims 13-15, 17-20, 22, 29-34, 38 and 39.

If Examiner Lu believes it to be helpful, he is invited to contact the undersigned by telephone at (312) 913-0001.

Respectfully submitted,
McDonnell Boehnen Hulbert & Berghoff

Date: September 4, 2002

By.



Kevin E. Noonan, Ph.D.
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